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Smugglers and Revenue Officers in the Portsmouth area in the Eighteenth Century

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Cover illustration: Chace of a Cutter, 1783.
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SMUGGLERS AND REVENUE OFFICERS IN THE PORTSMOUTH AREA IN THE EIGHTEENTH CENTURY – as shown in Customs Records

By EDWARD CARSON, MA, FIL

Smuggling was not a great problem to the revenue authorities until late in the seventeenth century and such smuggling as did take place was mainly the export smuggling of wool, the smugglers of this commodity being known as 'owlers'. From Plantagenet times there had been a duty on the export of wool, woolfells and hides and at times the exportation of wool was totally prohibited. The duties on imported goods had always been low and it would hardly have been profitable to attempt any large scale running of contraband in square-rigged vessels unable to arrive and depart on the same wind, rendering it difficult to evade the vigilance of the Customs officials.

Controls introduced in the reign of Elizabeth I restricted the places where vessels could discharge and load cargo by the appointment of legal quays and by laying down the system under which goods were inspected and cleared, the records being kept in the 'Queen's Books' by the local collectors of Customs and returned quarterly to the Court of the Exchequer.[1]

The Glorious Revolution of 1688 which resulted in the accession of William and Mary ultimately involved this country in war with France and the taxation which was levied to finance the war included heavy duties on tea and spirits. These duties together with the development of the fore and aft rig of sailing ships now enabled smugglers to make large profits by smuggling. The Customs service had already been reorganized in 1671 when Charles II had ended the farming of the customs duties and Customs officers were appointed at ports and creeks throughout the country. In 1698 the preventive service was reinforced by Riding Officers whose main responsibility was the prevention of the exportation of wool but who soon became very much involved in the fight against the smugglers of brandy, tea and tobacco.

By the end of the seventeenth century smuggling had become big business and for a long period the 'free-traders', as the smugglers called themselves, appeared to have things all their own way for their vessels were able to land their contraband at prearranged places on the coast where their confederates would load the goods on to horses and mules and carry them into the interior of the country.

The smuggling vessels were well manned and heavily armed and for a long period the smaller Customs vessels were unable to make much impression on them and even the naval vessels, when they were able to find time to assist the revenue officers, frequently came off badly in their encounters with the smugglers. On land the few Customs officials were equally helpless against the large gangs of 'country people', as the land smugglers were known, and many were wounded or lost their lives in the 'affrays' with these gangs or else were reduced to watching as the long processions loaded with contraband passed boldly through the villages defying anybody to interfere with them. It could be said that at that time every man's hand was against the revenue officers and many people who considered themselves honest citizens had no scruples about buying smuggled tea and brandy. The gangs of smugglers also terrified the countryside generally and would take drastic action against anyone who informed on them.

The area around Portsmouth was particularly suited to the illicit trade, the Isle of Wight being especially vulnerable, the inlets and creeks of Langstone and Chichester harbours, and the Lymington and Beaulieu creeks, enabling the smugglers to unload their contraband and hand it over to the country people.

In order to understand why the 'freetraders' were able to smuggle so freely at this period it is necessary to know something about the difficulties experienced by the Customs officials, how the revenue protection was constituted, and what other work the officials were required to do.

In 1671 Portsmouth was still a sub-port of Southampton and the staff consisted of John Pocock, Collector and Surveyor; Rawleigh Hull, Waiter and Searcher; William Golding and Henry Smith, Tidesmen and Boatmen. Gosport had just one Waiter and Searcher, Thomas Dicken and at Emsworth there was one official, John Hedger whose duties were not defined.[2] By 1691 Portsmouth had become a port in its own right and the collector there became directly responsible to the Commissioners of Customs in London. John Weaver was now Collector and Customer and Laurence Cole the Surveyor; there were two Waiters, Joseph Battailhey and Peter De Cardonnel, a Chief Boatman, John Ewins, and three Boatmen, Walter Edwards, John Somery and Henry Chapman. Also included in the Portsmouth establishment were the creeks of Fareham with one Waiter and Searcher, John Merrick, Gosport with one Waiter and Searcher, Joseph Sandford, and Emsworth with one Waiter and Searcher whose name is not given.[3] In 1698 we find that the port had expanded to include Titchfield where there was a Riding Surveyor, Joseph Clapp, a Commander of the sailing sloop, Thomas Burford, and two Tidesmen and Boatmen, Samuel Plume and Thomas Robinson.[4] The Collector was entirely responsible for the running of a port and all the staff, including the crews of the revenue cutters and cruisers,

were subordinate to him. If there was a Controller he was co-responsible for the accounts and was regarded as the second man in authority but as this was frequently a patent office, the work was then usually carried out by a deputy-controller. The next in order of rank was the Surveyor who was in charge of the outdoor staff. In a large port this work would be divided between a Land Surveyor who controlled the landwaiters, the Tide Surveyor who controlled the tidewaiters, tidesmen and boatmen and the Riding Surveyor who controlled the Riding Officers. The Searcher was responsible to the Collector for ensuring that the outward cargo was properly cleared but the duties in most ports were combined with that of waiter, hence the title Waiter and Searcher. The landwaiter was responsible for the examination of cargo and the tidewaiter for the boarding and searching of ships arriving on the tide as well as imposing the quarantine regulations. The boatmen were employed for manning the boats which carried the tidewaiters to the ships but they often assisted in the searching of ships under a chief boatman or deputed officer, particularly in the nineteenth century. The term tidesmen was often applied loosely to describe tidewaiters and others who were required to board vessels and keep them in charge and tally the cargo. In larger ports there were other ranks and sub-divisions.

It is obvious that the main occupation of the majority of the Customs officials was in dealing with the cargoes which were legitimately imported and exported, but when necessary they would all, from the collector down to the boatman, join in the fight againist the smuggler. In some of the ports there were also excise preventive officers and excise cutters who sometimes vied with the customs officials and sometimes co-operated with them as indeed they were expected to. Until the early part of the eighteenth century there were excise import duties on certain goods as well as customs duties and the absurd situation frequently arose where officers of both services examined and weighed or measured the same goods.

The Customs officials however had numerous duties other than revenue work to carry out as there were no other government officials available to perform such tasks. There was for instance the enforcement of the quarantine laws as the master of every vessel had to be interviewed before being allowed to enter a port and this was usually done by hailing the vessel from a Customs boat and handing up a quarantine testament encased in metal in order that the master might make a sworn declaration. In those days it was necessary more often than not for a vessel to perform quarantine and as Motherbank became one of the main quarantine stations the Portsmouth officials had the difficult and dangerous task of preventing people from escaping from quarantine. One act provided that if a customs officer acting as a quarantine official deserted his post or knowingly permitted goods, ships or persons to escape from quarantine, he should suffer death,[5] persons who escaped from quarantine being liable to the same penalty. Another dangerous and unpopular task was the protection of wreck and wrecked seamen from the wreckers or 'country people', the collector also being the receiver of wreck and as such obliged to take all wreck into safe custody. A great deal of officers' time was taken up in the seventeenth, eighteenth and early nineteenth centuries by the enforcement of the Navigation Laws and the consequential registration of all British ships. There was also Mercantile Marine work and the collection of Light Dues for the support of Trinity House and other authorities responsible for the upkeep of lighthouses and for pilotage. Other duties included the control of emigration and immigration, duties under the Foreign Enlistment Act, the enrolment of Royal Navy reservists and the enforcement of the numerous prohibitions on traffic in certain goods, such as dangerous drugs, plumage of rare birds, copyright works, obscene prints and literature and in more recent times, control of diseases of animals and the examination and sampling of foodstuffs under Public Health acts.

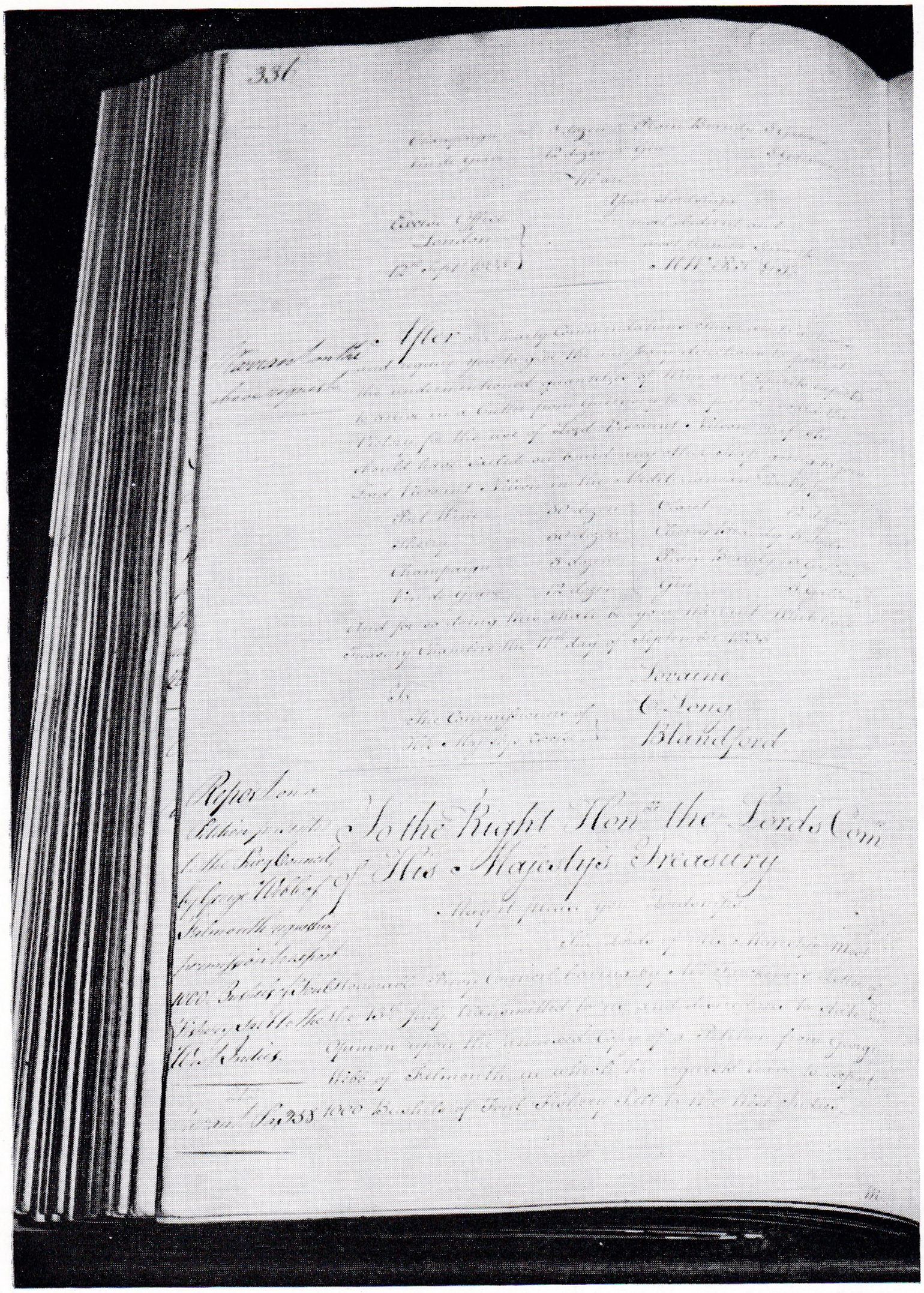
Many prizes were brought into Portsmouth by warships and the Customs officials had to ensure that all cargo and stores were properly cleared and duty paid. They were also obliged to assist the Press Gang and pay their expenses. This co-operation is shown in a letter to the Collector at Portsmouth in which he is informed by the Board of Customs 'that Vice Admiral Stewart has represented to their Lordships that if the Commander of the sloop at your Port had orders given to him to examine all boats and vessels going from Portsmouth to the Isle of Wight, Southampton, Poole and other neighbouring ports and in case he meets with more seamen than properly belong to such boats and vessels, to secure and deliver them to the Commander-in-Chief at Portsmouth, it would be a great benefit to the service in preventing desertion. . . . You are to give it in strict charge to the Commander of the sloop at your Port to take care their Lordships' commands therein are duly comply'd with, letting them know that they will be paid twenty shillings a man for every deserter they secure and carry to the

Commanding Officer at Portsmouth by the Clerk of the Cheque of that Yard.'[6]

Customs officials were also expected to do intelligence work and it usually happened that they were the first to hear news of military successes or failures overseas. In March 1743 for example the Commissioners remarked that they 'have not received any account from the Commander of the Sloop at your Port relating to the proceedings of the Brest squadron notwithstanding the directions given, they direct that you immediately call upon the Commander and Mate of the sloop at your Port to deliver to you copy of their journals from the date of the aforesaid letter to this time and likewise require of them an account of the steps that they have taken to get an account of the French squadron transmitting the same to the Board with your observations'.[7]

The officials of the Waterguard, as that part of the service primarily concerned with revenue protection was called, were usually recruited among seafaring communities and it is not surprising that collusion with smugglers was sometimes suspected, and although officials making seizures of contraband received rewards, the risks were great, as many officers were maimed or killed and the remuneration was slight. In 1726 for example the Board of Customs told the Collector at Portsmouth that 'they agreed that the "Greenhill" yacht on the establishment of Cows should be stationed at Ride and put on the establishment at your Port at the following allowance, The Commander, p. ann. £50, the Mate £25, eight mariners at £15 each=£120, a Boy £8. Victualling 11 men at $7\frac{1}{2}$p. diem=£125–9–$4\frac{1}{4}$. Total £328–9–$4\frac{1}{4}$ for which we have ordered a presentment to be prepared accordingly to the Lords of the Treasury'.[8]

It is small wonder then that the smugglers were able to ply their nefarious trade for so long with scant regard for the revenue men. At sea the combined forces of the customs and excise boats, even with the help of the navy, seemed to be powerless. The relations of the Customs staff with the navy were not always good, as the navy personnel themselves were not at times averse to indulging in a little smuggling on their own account, and the searching of the effects of senior officers and the seizing of their goods by the Customs was a frequent source of irritation. Indeed when one reads of actions such as that described in the following letter one wonders whether they did not do more harm than good from the revenue point of view. In August 1727 the Commissioners acknowledged receipt of the Collector's letter 'with an acct of a seizure made by the Collector of a new wrought bed and counterpan of nedel work not made up on board the *Lyme* Man of War lately arrived from the Streights and for answer we direct that the Collector keeps his hands thereon untill he receives our further directions . . .'.[9] Nevertheless there are many instances of co-operation between the services as when in 1727 the Commissioners of Customs informed the Collector at Portsmouth that the nine packs of wool seized by Lt Guy of HMS *Lyon* from a boat near Portland should be formally seized by a Customs officer and legal proceedings instituted.[10]



Instructions for Nelson's wine to be allowed to pass free of duty.

Photograph by courtesy of the Central Office of Information.

Parliament passed laws governing the legal sizes of packages which could be landed[11] and the minimum tonnage of vessels[12] in order to help to prevent the running of contraband along the coast and also made it an offence for any vessel other than a naval or revenue vessel to be fitted with a bowsprit exceeding two-thirds of its length.[13] The government did not however provide the officials with the means to ensure that these laws were complied with. In the early part of the seventeenth century it was left to the Collectors to negotiate for the hire of boats for revenue purposes and these were usually greatly inferior to the smuggling vessels both as regards sailing ability and armament. When smuggling craft were captured they were seized and condemned and then either destroyed or used as revenue boats as when in 1727 the Board wrote to the Portsmouth Collector in the following terms: 'There being a vessel at your Port called the *May Flower*, whereof Abraham Bassett was master which is condemned for running of Brandy and Mr. Baker having acquainted us that she is about eighteen tons and will be fitt for the Service at Burnham in the Port of Maldon. We have ordered Mr. Wm. Saywell, waiter and Searcher there to repair to your Port with the boatmen and you are to deliver the said vessel to him to be employed in the Service.'[14]

The Navigation Laws led to a good deal of smuggling of tobacco in this country as all produce of the Plantations had to be imported first to Britain before being re-exported to other countries. When the tobacco was re-exported the Customs would repay the duty under a system known as 'drawback'. The danger to the revenue lay in the risk that tobacco might afterwards be relanded without payment of duty or transferred to coasting vessels and relanded. Seized goods were deposited in the King's or Queen's Ware-

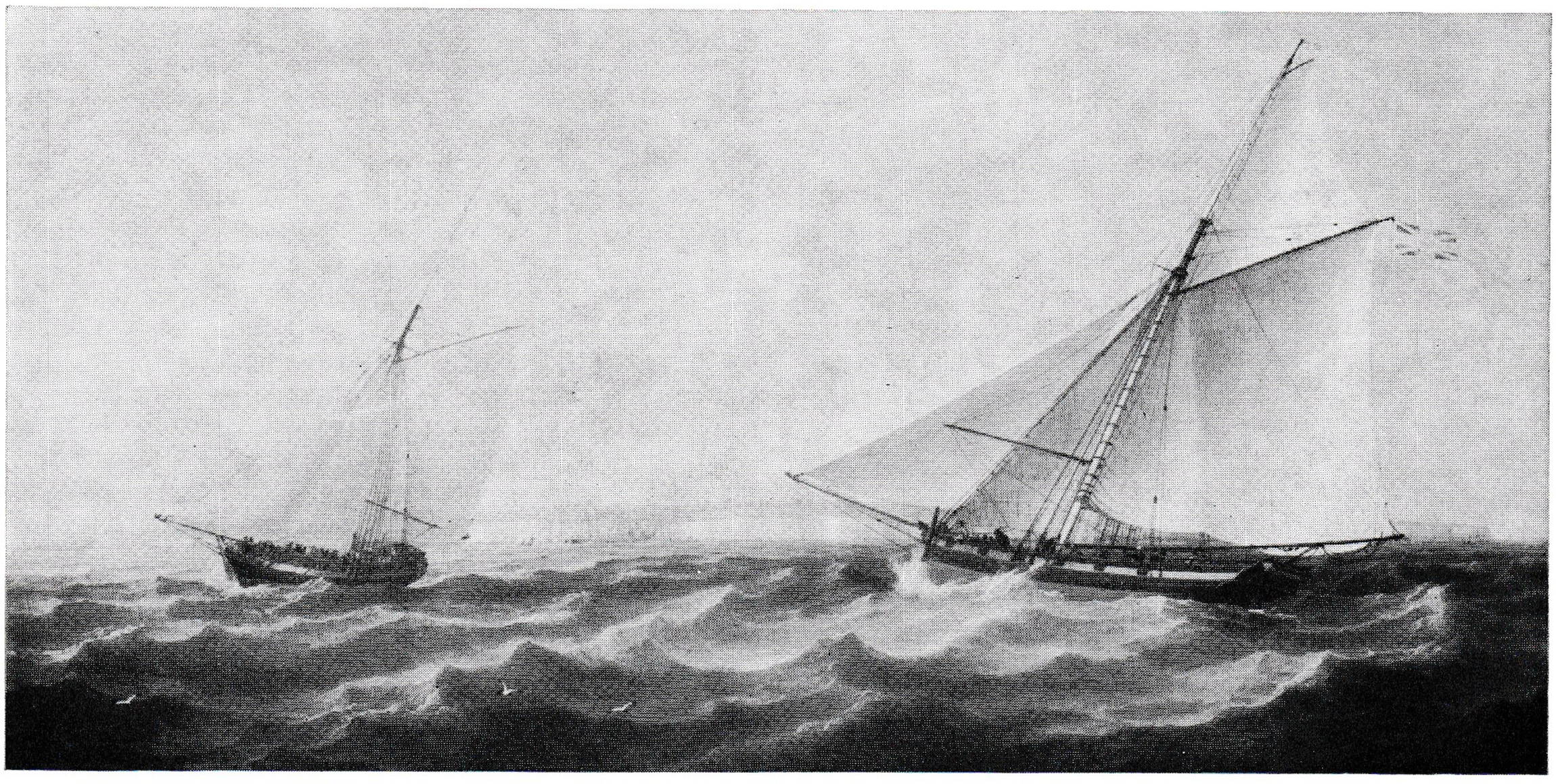
house until destroyed or otherwise disposed of. The following letter to the Collector at Portsmouth shows that even as early as 1728 Customs officers had seized a fair quantity of tobacco: 'In answer to your letter of the 9th ult acquainting us that the two hundred and ten pounds of tobacco in the warehouse at your port is unfit for any use and of no value, we direct you to burn the said tobacco taking care it be wholly destroyed without embezlement and you may pay the officers concerned in seizing the same seventeen shillings and sixpence.'[15]

On account of the weakness of the Customs second line of defence, that is the Waiters and the Riding Officers, it was often necessary to call upon the army to assist these officers when confronted by large gangs of smugglers, although as often as not the dragoons arrived on the scene after the smugglers had disappeared inland. In 1743 as a result of representations by the Collector of Portsmouth the Board of Customs informed him that '. . . orders were sent by last night's post for Col. Wolfe's, Col. Jeffery's and Col. Cottrell's Regiments of Marrines at Southampton, Winchester and Rumsey to be aiding and assisting to the Civil Magistrates and Officers of the Revenue when thereunto required in preventing Owlers and Smuglers from Running of goods and in apprehending them and seizing the said goods . . . an order was likewise sent to the Commanding Officer of the Detachment from Lord Henry Beauclerk's Regiment of foot employed in guarding the Spanish Prisoners at Porchester Castle to be aiding and assisting when thereunto required as abovementioned and as the service they are employed in will permitt.'[16]

A West Country collector complained that 'the smugglers are carrying on a greater trade than ever' and 'that the officers dare not do their duty for fear of being knocked on the head' and in 1755 John Hurley, Riding Officer at Branscombe was killed when on the look out for a smuggling boat when a 'great number of women were on the edge of the cliffs making fires as a signal'. It was suspected that the women pushed him over the cliff but the jury returned a verdict of 'accidental death'.[17]

Revenue protection work at Portsmouth was closely bound up with that of Cowes and Southampton, particularly with regard to the efforts of the cutters and cruisers. Portsmouth might indeed be regarded as the first line of revenue defence for the ports of Southampton and Chichester on account of its strategic position at the entrances to the harbours of

Trinity House and Revenue Cutters, 1824.



Southampton, Langstone and Chichester as well as that of Portsmouth, the control of the Solent being mainly left to Cowes, while the Quarantine Station at Motherbank was allocated to Portsmouth.

One of the early recorded confrontations of the smugglers by the Waterguard involved a diligent officer, Mr. Mears, Commander of the yacht *Calshott* which was attached to Southampton. At 2 am on a Sunday morning in June 1715 he observed a vessel at Hell's Head which on sighting the revenue vessel immediately 'tacked about and stood for sea. Captain Mears chased the vessel and forced it to bring to. He boarded it and found on board 'sixty-three anchors and three half-anchors containing about 600 gallons of French brandy'. (An anchor or anker contained $8\frac{1}{3}$ imperial gallons.) Leaving men to guard the captured vessel he went on shore where he saw a wherry and eight men armed with clubs. He also noticed waggon tracks leading to the water and so he and his men searched all the houses and buildings in the area without finding anything further.[18]

Until the middle of the eighteenth century it did not seem that the revenue men were making much impression on the 'free traders' and there was even a letter from one gentleman complaining about the effect of the laxity of the Riding Officers on his business. On 24th November he wrote to the Portsmouth Collector as follows:

> 'Gentlemen, I am sorry to tell you that the Riding Officers of Portsea and Corsham do not do their duty since the taking of the Frenchmen of War. You may buy Dowlass Lace, Muslin, Cambrick and Handkerchiefs cheaper than you can in France with Brandy, Tobacco and Tea which hurts us which are fair traders . . . one of them has not had a horse within half a mile of his house this year and a quarter. . . . There is people that run goods that keeps one to keep him company which any may do if they give him gin. He has not been up after eight o'clock these six months ever since he has been here there is to my knowledge been run half a ton of Tea every week. He has been told of it but he gets drunk and not mindes it. As to the other, give him a whore and the devil may do the duty wch is from Yr Honours. – Dick Downright'[19]

The following year the Collector found it necessary to reprimand the Commander of the *Greenhill* yacht in the following terms:

> 'Notwithstanding the Commissioners General Orders and my repeated directions it appears that you very seldom lye on board the yatch under your command. You are hereby reprimanded for the disregard you have shewn to the orders given you and likweise for you neglect of duty and if this unwarrantable is not for the time to come discontinued you will in consequence of your misbehaviour be suspended.'[20]

There were however many officers who risked life and limb in the service of the revenue and because of the risks, officers were often enjoined to be circumspect. In January 1740 as a result of the murder of an officer the Commissioners of Customs sent a general instruction to the collectors 'to acquaint all the officers at your Port that whenever they shall go out to make seizures they are to take care to have a sufficient military force with them'.[21]

A letter sent to the Portsmouth Collector is of particular interest because of its connection with what is regarded as the most notorious gang of smugglers of the eighteenth century, the Hawkhurst Gang.[22] This gang, which had its name from Hawkhurst in Kent where the leaders lived, operated throughout Kent, Sussex and Hampshire and even as far as Dorset. For a long time they had it all their own way and had the whole countryside terrified while they committed many gruesome crimes and many revenue officers and soldiers suffered at their hands. The incident referred to in the letter quoted below began with a seizure of 37 hundredweight of tea by a revenue cutter, the seized tea being deposited in Poole Customs House for safe custody. The smugglers under the leadership of Thomas Kingsmill, head of the Hawkhurst gang, decided to 'rescue' the seized tea from the custom house and on the night of the 6th October 1747 they broke into the building and helped themselves to their tea. On their way back they passed through Fordingbridge where they were seen by many people including a shoemaker named Chater. The Commissioners wrote to all the collectors in the area stating that 'for the better discovery of the persons concerned in breaking open the Custom House at Poole and carrying away a large quantity of tea, His Majesty has been pleased to promice his most gracious pardon to such persons as shall make discovery thereof and the Commrs have likewise offerred a reward of £200 for the apprehending each of the offenders,'[23] Such was the fear inspired by the gang that it was many months before the authorities were able to find anything out but eventually Chater spoke up and laid information against one of the gang who was then arrested. In February 1748 it was arranged that Chater should go

Smugglers in action, by J. Ward after G. Morland, from an engraving 1793.

Photograph by courtesy of the National Maritime Museum.

to Major Batten nr. Chichester who was a justice of the peace, in order to make a statement and William Galley an aged tidewaiter was sent to accompany him.

En route they stopped at the 'White Hart', Rowlands Castle where the landlady became suspicious when she heard them ask the way to their destination and informed her two sons, who were members of a smuggling gang. They and other smugglers came along and after plying Chater and Galley with drink found out that Chater was prepared to testify against someone connected with the break-in at Poole Custom House. The two men were then made drunk and put to bed and when it was dark they were both tied to a horse and taken away into the country being constantly lashed until they were unconscious. The following morning they halted at the 'Red Lion Inn' at the village of Rake near Liss, took Galley into a wood and buried him in a sandpit although it was never really established whether he was dead or alive. Chater, already in very bad condition, was taken to the house of Mills, one of the smugglers, at Trotton where he was kept for two days while they brutally tortured him. They then took him to Lady Holt Park where they attempted to hang him over a well called Harris Well but eventually threw him head first into the well and threw large stones and timber on top of him until he was dead. When it was realised that the men were missing a proclamation was issued offering a reward and free pardon for information and after some considerable time an anonymous letter was received which enabled the authorities to find Galley's body and arrest one of the gang. He turned King's Evidence and by January seven men had been arrested.[24] As Richard Mills lived in the hinterland of Portsmouth, John Newnham, Riding Officer at Fareham, was given the job of arresting him, the Commissioners writing in the following terms: 'We have received your letter of the 30th Ulto acquainting us that Mr. John Newnham, the Riding Officer at Fareham in whose hands a warrant is lodged for apprehending of Richard Mills concerned in breaking open the Custom House at Poole, has received a particular information where the said Richard Mills resides, but as there are two of the name of Richard, Father and Son, and as the warrant does not specify whether Senior or Junior, he cannot proceed on the information, and having referred the same to our Solicitor he has reported that the warrant will authorise the person possessed of it to apprehend either Richard Mills Senior or Junior but as he is informed the Richard Mills Junior is the person, Mr. Newnham should use all possible endeavours to apprehend him and when apprehended convey him with a sufficient guard immediately to London.'[25]

The seven smugglers were tried at Chichester early in 1749 and were condemned to death. It was obvious there was a great hardening of the attitude towards smugglers and in addressing the jury, Mr. Justice Foster asked every man to lay his hand upon his heart and ask himself in what smuggling differed from robbery. He also told them that when armed men were assembled for smuggling and one of them killed a

revenue officer, the whole assemblage was guilty of murder, though they went out but to smuggle. The condemned men were hanged at the gallows, five of them being afterwards hung in chains at prominent places for all passers-by to see.[26]

This was probably a turning point, for not only were the revenue forces becoming stronger and better organized but there were signs of the awakening of the national conscience with regard to smuggling and local groups like the Goudhurst Militia in Kent began to band together to fight the smugglers. Violence only died out slowly, however, as will be apparent from a letter from the Commissioners of Customs in January 1749 when they acknowledged receiving the Portsmouth Collector's letter regarding his failure to obtain further evidence about the murder of William May, tidesman[27], and a further letter in March of the same year when the Collector was informed that the assizes at Winchester would be opening and that he should take care that the witnesses for the Crown against one Kemp for the murder of May should attend at Winchester to give evidence.[28]

It must be borne in mind that although the constant presence of Navy ships at Portsmouth may have been something of a deterrent to armed smuggling vessels as naval ships were expected to assist the Customs, a great deal of the time of the revenue officials was also taken up in keeping an eye on the naval personnel as quite a lot of revenue was evaded when the contraband was split among the numerous naval ratings. There were incidents when the amount of revenue was not great but kept the officials busy, such as that described in May 1752 when the Commissioners acknowledged the Collector's letter informing them that Mr. Baskerville, the tide surveyor had found 73 hampers of French burgundy and champagne on board HMS *Winchelsea* which was under the command of Captain Drake. They instructed that the seizure of the wine should be made immediately as the practice could be injurous for the revenue.[29] Much of the trouble was caused by ships' officers neglecting to obtain permission before they moved dutiable goods as in the case of the future Admiral Kempenfelt when he wrote from the ship *Elizabeth* in February 1757 as follows:

> 'Gentlemen, I beg leave to acquaint you that being appointed Captain of His Majesty's Ship the 'Elizabeth' designed for the East Indies, I sent my things from the 'Lightening', which I commanded before by water to the 'Elizabeth' at Portsmouth, where the officers of the Customs seized about 11 gallons of Rum and 16 of Port Wine, which indeed was all the Liquor I had. As it had been customary for officers removed from one ship to another to be permitted to carry their liquor, I hope gentlemen, you'll grant me the same indulgence which I shall esteem a favour and am etc. Rd Kempenfelt,'[30]

The Portsmouth Collector reported in April 1761 that Thomas Robinson, a Riding Officer, was struck when attempting to make a seizure and submitted that Joseph Fermedge, the assailant, should be prosecuted 'in order to deter others from misusing officers for the future'. He went on to say 'officers in general at this Port are indefatigable in discharging their duty, particularly the Waterguard, and that owing to the great number of men of war and other ships that are generally at this port they are frequently abused and ill-treated, especially in the night time, chiefly from common sailors belonging to some of His Majesty's Ships who we are assured would not attempt it if they were not countenanced by their officers.'[31]

Quite often the navy men who actually assisted the Customs were subjected to equally bad treatment by the smugglers. It was common enough for Customs officials to be captured by the smugglers and landed in France but in one notorious incident in 1738 smugglers were bold enough to mete out the same treatment to naval personnel.

The incident began when the revenue cutter *Beehive* under the command of Captain Lisle was chasing a smuggling vessel off Portland. After a five hours' chase the *Beehive* caught up with her but she refused to bring to. Mr. John Johnson, the Chief Mate of the *Beehive*, signalled to the *Diamond* tender belonging to the *Lennox* man-of-war to come to his assistance. Lt. Forbes of the man-of-war and John Johnson then boarded the smuggler. While they were on board John Hastings, master of the smuggler, contrived to shut the boarding party in a cabin. As the naval boat had broken loose the smuggler put to sea carrying with him Lt Forbes, the mate of the naval tender, together with John Johnson and two other Customs men, all of whom were landed at Boulogne.[32]

Philip Durell, Commander of HM Cutter *Lerwick*, complained that on 16th November 1764 when in company with HM Cutter *Anson* lying in Guernsey Road 'we observed a lugger coming out of the pier and going to sea, upon which we sent our boats to examine her. My boat under the command of my Master who has a deputation from the Commissioners of Customs

got alongside first, but on my people going on board to search the said lugger, the smugglers assaulted and beat the Master and threw the men overboard and it was with difficulty that their lives were preserved.' Commander Durell went on to say that Sir Thomas Rich and himself thought it advisable to detain the vessel which had 150 casks of brandy and 15 bags of tea intended to be run near Cawsand. He ended by saying that 'if such outrages are suffered with impunity the crews of His Majesty's cutters will be unable to do the duty required of them.'[33]

It will be noticed that the naval cutters referred to above were operating in the Channel Islands. These islands were one of the main sources of contraband for the smugglers of the West Country but smuggling boats from as far as Rye were actively involved in the illicit trade with the islands and the tea which was seized from the *Two Brothers* and afterwards rescued from Poole Custom House by the Hawkhurst Gang had emanated from Guernsey. The Channel Islands had always enjoyed special privileges which included exemption from Customs and Excise laws and regulations and the islanders took full advantage of the situation by importing tea, spirits and tobacco to supply the English smugglers. In the early part of the eighteenth century there were a number of abortive attempts to fix Customs officials in the islands but it was not until 1767 that a Custom House was established in Guernsey. In order to prevent the smuggling of small casks or ankers of spirits in small boats it was enacted that no brandy or spirits could be imported or exported in casks of less than 60 gallons or in vessels not exceeding 50 tons. The effect of this was that much of the smuggling trade was transferred to the French port of Roscoff with the active connivance of the French government.

To enforce these measures a schooner of 14 guns and a cutter with four or five boats and forty men under the command of John Major was assigned to the islands with full power of examination and seizure. It appears however that Major exceeded his mandate and in the following year was imprisoned in Guernsey Castle. John Stiles was sent from Portsmouth to investigate the matter and the result was that Major was dismissed the service. It was some considerable time before any further real attempt was made to do anything about this problem so that the Channel Islands remained a thorn in the side of the British revenue authorities for a long time.

The Isle of Wight was also a hotbed of smugglers and revenue men had great difficulty in dealing with a population mainly consisting of smugglers. William Godwin, Tide Surveyor, appears to have been particularly energetic but had a good deal of trouble both with his staff and with smugglers. In July 1750 he reported Michael Tracey for being asleep on duty and that he could not be wakened although 'called to several times'. In his defence Tracey said 'I allow I was asleep by the reason I had laid on a hard chest for five nights and my cloths not off all the time, that by lying so very hard and by the weather being so very excessive hott, it had drawn me to sleep but a small space of time before my Tide surveyor came on board. For the future I shall be caucious and endeavour never to do the like again'.[34]

William Godwin was in difficulties with local inhabitants when on 22nd March 1756 at three o'clock in the afternoon he went along to search the house of Thomas Francis, a mariner of West Cowes. With him went Alexander Sherring and Joseph Mouncher, extra tidesmen and boatmen as well as Roger Parkman, a High Constable. As they entered the house Francis locked the door of one of his rooms. Godwin asked for it to be opened and Francis refused. Then, according to Mouncher, 'Godwin desired the Constable to break it open which he not only refused but told Godwin that he would not Suffer any lock to be broken without a Justice of Peace's Warrant, then said Godwin shew'd him a parchment and told him it was a Writ of Assistants and that it was a sufficient Warrant for him and desired his Assistance. The Constable said he could not read it and that he would not suffer the door to be broke open and pushed the said Godwin and me from the door when we endeavoured to break it open and the said Francis came to the said Godwin with a Tiller of a sloop in his hand lifted up and declared he would kill the first man that should break open the lock or enter the room.' The two revenue officers and the constable then entered an adjoining room where there was a door apparently leading to the locker room. Then Francis laid hands on Godwin and 'forcibly hindered him from going to the said door'. Godwin asked the constable in vain for assistance and by this time a number of Francis's relations had gathered. Godwin instructed Mouncher and Sherring to guard the house till he returned and went away for half an hour. Mouncher states that during his absence Thomas and Matthew Francis threw out five or six pails of liquor out into the gutter and he smelt and tasted it and it appeared to be brandy.[35]

Because of a gap in the records we are not told the sequel of the foregoing incident nor of the following case of the 'obstruction' of an officer. On 21st October

Map of Portsmouth and the Isle of Wight from Capt. Grenville Collins's 'Coasting Pilot'.

Photograph by courtesy of the Central Office of Information.

1754 Richard Rogers and William Godard, Riding Officers at Cowes, went to the house of Timothy Dyer of Ventnor furnished with a sheriff's warrant to arrest Dyer. When Godard attempted to arrest Dyer 'the said Dyer's wife together with Rich'd Pittis of the Parish of Witwell, husbandman, and James Coleman of the parish of St. Lawrence, husbandman, laid hold of and collared Godard and pulled him down over a chair by which he had the skin broke on the shin of his right leg and was otherwise hurt, on which the said Dyer endeavoured to escape and then Rogers took hold of him whereupon said Dyer's wife and daughter took hold of Rogers and held him so that the said Dyer escaped.' The Collector stated that 'if these persons are not made examples of it will be with much difficulty that we shall be able to get any more offenders taken.'[36]

In November 1770 William Mouncher was again involved in an incident while attempting to make an arrest. Together with Thomas Duke and furnished with a *capias* from the Solicitor they set off to arrest John Hall, member of the crew of a large smuggling lugger, whose master was John Studdard, and which was lying in Cowes Road. They found Hall at the 'Plume of Feathers' and arrested him. As they were conveying him to the Watch House they met John Parkman, a notorious smuggler, who 'immediately got together the lugger's men and fell upon the officers and rescued the said Hall who upon getting clear fired two pistols among the officers and people that were gathered together in the street upon the fray, but it so happened no mischief was done'. After this some of the lugger's men rioted about West Cowes and meeting with the Excise Tide Surveyors and some of their boatmen, three of them were taken. Upon hearing this Mr. Miller called a constable and with the assistance of the Excise Officers and others, took three more of Studdard's men but 'could not meet with Hall or Parkman'. The six men who had been captured were taken to Portsmouth and handed over to the navy.[37]

A typical affray was reported by Peter Peat, Mate of the revenue cutter *Princess Caroline*, in December 1772. He was cruising in Stokes Bay at nine o'clock in the evening and noticed a large open boat running ashore near the brewhouse. He went alongside and found that she was full of casks 'to the amount of two hundred or more' and there were six or seven men on board. Mr. Peat tells us 'I immediately seized her and her cargo and endeavoured to the utmost of my power to bring her away which I should have done had not a gang to the amount of 20 or 30 at last I believe some 50, some on horseback and some on foot, come down and took hold of the boat and hauled her on shore. The people are unknown to me and many of them in disguise having on blue carters frocks and handkerchiefs wrapped round their heads which covered part of their faces. However after a long resistance and violent opposition I secured and brought to the Custom House 121 small casks viz 85 small casks of brandy contg 240 gallons, 25 casks of rum 100 gallons and 11 casks of geneva 43 gallons but the smugglers

rescued and carried off the boat and the remainder. I observed the gang in general were armed with clubs and I believe it was impossible for seven men to have done more than we did.'[38]

The homeward bound East Indiamen with their cargoes of tea were always a problem in the Portsmouth area particularly in time of war when they arrived in convoys escorted by naval vessels and frequently lay off Spithead. A report by the Collector of Portsmouth in August 1778 gives some idea of what was involved.

> 'Yesterday sailed for the River the following Homeward Bound East India Men, viz *Earl of Sandwich*, *Hawke*, *Houghton*, *Prime*, *Resolution*, *Cares*, *True Briton*, *Alfred*, *Worcester* and *Princes Royal*. On board six of the above ships we have caused six tidesmen to be placed on each and five tidesmen on each of the remaining four ships being all that could possibly be spared from this and the neighbouring ports of Southampton, Chichester and Cowes and so soon as they are relieved by others in the River we pray that your Honours will be pleased to order them to return to their respective ports. Captain Wallis of the *Rose* cutter in the service at Southampton, Captain Legg of the *Falcon* cutter at Chichester and by order of the Commissioners of Excise the Excise cutter stationed at Cowes accompany these ships in their passage with the strictest orders to prevent any frauds that may be attempted to be committed'.[39]

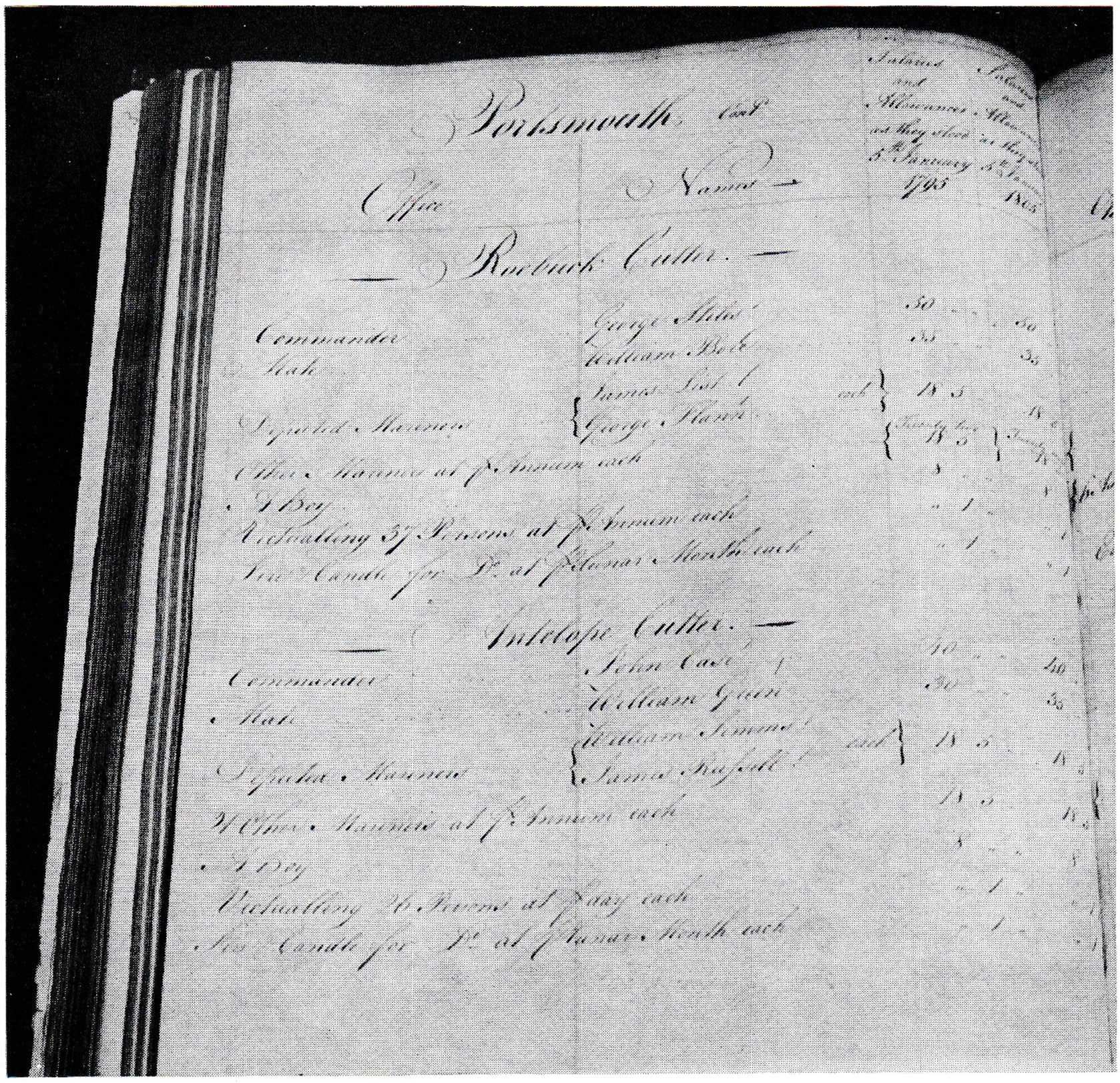
In January 1783 William Cooley was reporting to the Commissioners of Customs on the capacity, zeal, etc., of the Riding Officers and had asked the Supervisor of Riding Officers, Mr. Elias Bruce Arnaud for his impartial opinion. It seems that Mr. Arnaud considered that smuggling had increased since his own appointment in 1781 and that gangs of smugglers of 30, 40 and sometimes 100 in a gang mounted on horses were carrying spirits and tea. He had pointed out that even when he had all the officers with him they were unable to do anything against the smugglers and that he was left 'in the disagreeable predicament of letting them pass unmolested. The Collector pointed out that Mr. Arnaud, a very active spirited and deserving officer, has sometimes during the night intercepted small parties of 6 or 7 and seized their horses and goods but the smugglers realizing this have taken to collecting in large numbers. He suggested that a military force of about 30 horse should be stationed at Fareham, Titchfield and Corsham in order to assist the Riding Officers.'[40] It is interesting to note that Elias Arnaud himself became Collector in 1793.

Meanwhile another very energetic revenue officer had been appointed as Collector of Cowes. This was William Arnold, father of Dr. Thomas Arnold, the future headmaster of Rugby School. Arnold soon made his presence felt and in April 1781 we find him telling the Commissioners of Customs 'that smugglers in general are become more daring than ever, more frequently assemble in numbers, carrying arms and in disguise and that instances very often occur of officers being wounded, beaten, opposed and obstructed'. He added that this was in some measure 'owing to the lenity of the legislature' as persons convicted of obstructing officers or of rescuing goods after seizure were only subjected 'to the punishment of the House of Correction or to serve His Majesty by sea or land for a limited time which there is reason to believe has frequently proved an encouragement to smugglers and ill-disposed persons to obstruct, oppose and illtreat officers of the revenue rather than the means of deterring them from such atrocious offences'.[41]

It may be that Arnold's representations were of some effect as in January of the following year he was able to report that William Wall, who had been committed to the County Gaol for obstructing an officer, Stephen Squire, in the execution of his duty was tried at Winchester, convicted and sentenced to eighteen months' hard labour.[42]

In April of that year Arnold requisitioned twelve stout strong four feet long tucksticks to assist officers in finding contraband concealed under the shingles on the beach or buried in the sand or in cellars underground.[43]

Relations between Customs officials and Excise officials were not always of the best but in Arnold's time at Cowes there was a great deal of co-operation which may in part be due to the fact that Arnold's father, who lived with him for a short time at Cowes, had been Supervisor of Excise at Poole. There was an Excise cutter at Cowes commanded by James Sarmon, whose brother George was later captain of the Customs cutter there. On 4th May 1782 Captain Stiles of the Customs cutter *Roebuck* of Portsmouth reported that the previous day he was on a cruise in company with the Excise cutter commanded by Captain Sarmon when they observed a large cutter hovering in Sandown Bay. Realising that the odds would be too great for them the Excise cutter went for assistance and the *Mounsieu* frigate made for the scene. The seamen on board the smuggling cutter which proved to be the *Kite* took to the boats and



List of Revenue Officers and crews of revenue cutters, with their remunerations.

Photograph by courtesy of the Central Office of Information.

landed in Shanklin Bay whilst the Excise cutter and the *Roebuck* took possession of her. Most of the contraband had been discharged and the revenue officers found only 60 gallons of spirits and a cask of starch.[44]

When Arnold took over at Cowes there was no Customs cutter at Cowes and he constantly pressed for one. Eventually he offered to provide one under the contract and having had the Board of Customs' permission he purchased the *Swan* and George Sarmon was appointed her commander. Unfortunately this vessel was wrecked in the Needles channel a month after being commissioned. A fortnight later Sarmon and his men were trying to salve the cutter's guns when a cutter approached. They hid and saw a boat leave the cutter and make for the beach and they went to meet it. On board they found tea and casks but the smugglers were too much for them. Fortunately, James Sarmon came along and the combined force was able to capture the cutter, boat and contraband. In his report Arnold praised Captain Sarmon's conduct, and when a new *Swan* was provided by the Customs he was given the command.[45]

At Portsmouth William Cooley pointed out to the Commissioners that

> 'the advantages arising from smugglers induces the adventurers to find out new modes of practice and to endeavour by all manner of cunning and chicanery to evade the laws and elude the vigilance of the officers.' He said that great quantities of smuggled goods were landed in the Isle of Wight among the rocks and in caverns and other secret places until they could be conveyed from there. This was done partly in wherries and other small boats but chiefly in large boats to hold at least 100 small casks of spirits as well as tea and other light goods. He emphasised that the large boats 'being forty foot long rowing with ten and sometimes more oars they pass through the water with such rapidity that the boats in the service of the Revenue here stand no chance of intercepting them.'[46] The Collector went on to refer to the statute[47] prohibiting the use of all boats of that description and said that 'in order to evade this Law and that their Boats may not be seized when in a boathouse . . . now build them apparently to row with only six oars and have only six thwarts fixed for the purpose nor does there appear the least mark or vestige to show that any more are used but they have contrivances of placing temporary Rullocks on the Gunnels and likewise thwarts to ship and unship occasionally. One of their boats loaded with goods and rowed with eight or ten oars has been twice within a few nights past chaced by the Tide surveyor's boat, a very swift rowing one, and altho every exertion was used by the Officer and Boatmen they could not come up with her.'

The Portsmouth Collector went on to describe how one of his Tide surveyors, Mr. Collins, had received information that two of such boats belonged to St Helens in the Isle of Wight so he went there and in a boathouse belonging to Edward Wade, a noted smuggler, he found two boats each forty feet long but could not find any evidence that either of them had rowlocks or thwarts for more than six oars nor shifting gunwhales.[48]

In November 1783 at about midnight the tide surveyor's boat was waiting for a large long boat from the Isle of Wight making for the beach near Eastney Fort but 'the smugglers on the shore by false fires giving an alarm the smugglers boat turned about and made again for the Island'. The Customs boat chased her but could not come up with her as she had 'ten or more oars'. They returned to the beach and managed to catch one of the assembled smugglers, Edward Stigant. The next night the same thing happened but the boatmen managed to catch up with a number of the smugglers on the beach who were 'armed with large heavy powerful sticks of which several of them were dispossed by the Boatmen'. They recognised two of the smugglers, Richard Purchase and John Lale and they appeared before William Carter, JP, were convicted and sentenced 'to be committed to the House of Correction for a fortnight to be there whipped and kept to hard labour'. On account of his youth and inexperience, and as it appeared to be a first offence, Stigant was treated more leniently and was discharged on his giving security never to be found loitering within five miles of the shore.[49]

Shortly afterwards the tide surveyor received information that a large boat was expected to land contraband near Cumberland Fort and the Waterguard officers were split into two in order to keep a watch both on the water and on land. At about eight o'clock 60 or more smugglers 'made their appearance many of whom had their faces blacked and others differently disguised and all armed some with cutlasses and others with bludgeons and large sticks'. One of the boatmen was sent to the fort for military assistance and returned with a party of soldiers whose appearance caused the smugglers to disperse but four were captured. The following day they appeared before Sir John Carter, JP, and two of them received similar sentences to Purchase and Lale, but the other two were discharged as the justice was satisfied that they were there accidentally and forced to be with the smugglers. In concluding his report the Collector added that the justices of the peace had acquainted him that 'they have been under the disagreeable necessity of liberating the offenders' ... 'with a number of other prisoners committed for various offences on account of a contagious distemper called the Goal Fever having broke out in the prison.'[50]

In 1783 William Arnold gave the Commissioners a long description of the methods by which the smuggling vessels operated. He stated that the 'illicit trade is principally carried out by large armed cutters or luggers from two to three hundred tons burthen' and that they landed their goods 'in open day under the protection of their guns and sometimes in sight of revenue cutters whom they will not suffer to come near or board them.' He pointed out that 'the war first gave sanction to the arming of these vessels as the masters took out commissions as Privateers, tho in fact they followed no other trade than smuggling'. He said that the larger vessels often convoyed the smaller ones and at night 'they run in and land their cargoes, the larger vessels at places where the gangs of smugglers sometimes to the number of 200 or 300 are previously appointed to meet them, the smaller vessels at such other places on the shore where they can bury the goods in the beach, deposit them in cellers or sink them near the shore till opportunity offers of removing them again'. Arnold suggested that if the Hovering Act were extended to three leagues of the coast it would keep the smuggling vessels at a greater distance from the coast during the day and thereby make it more difficult for them to arrive at the appointed time. He ends by saying 'To such a regular science is smuggling now reduced, that we are informed the smuglers have stated prices for their goods in proportion to the distance they bring them. If they sell any at sea to coasting or small vessels or boats, the price of a 4 gallon cask of brandy is about half a guinea or 11 shillings, if landed on the shore between Hurst and Christchurch under the protection of their guns and put into quiet possession of the land smugglers 14s or 15s per cask and if brought within the Isle of Wight or to Langstone or Portsmouth the price advances to a guinea per cask according to the place at which it is to be landed or delivered.'[51]

Some of the smuggling vessels operating in the area were described. There was the *Cornish Ranger* of Cawsand, a lugger of about 300 tons mounting 26 guns which in the last month had landed 3000 casks of spirits and ten to twelve tons of tea besides convoying three other luggers. The *Wasp* of Folkestone, 270 tons and 22 guns; and the *John & Susannah* of Folkstone, 280 tons, 20 guns, these two having been built at Cowes.[52] In May 1784 he reported that the *John & Susannah* had been seized by Captain Ellis of HMS

Orestes and condemned and offered for sale. Arnold was afraid that if the Government didn't buy her at the appraised value the smugglers would get her.[53] The *Orestes* was again involved in action this time at Christchurch in July of the following year. She was assisted by Captain George Sarmon of the *Swan* cutter and his brother Captain James Sarmon of the excise cutter. The revenue and naval men were rowing into Christchurch harbour to take possession of two smuggling luggers when they were fired on by smugglers from the luggers and from the shore. Mr. Allen, master of the *Orestes* was shot and afterwards died and one of the sailors was wounded in the arm. The smugglers had sheltered in a public house called 'The Haven' and had been shooting from the windows and from the stables. Mr. Allen had been shot twice before a single shot was fired at the smugglers and the jury returned a verdict of wilful murder. It seems that two lists of names of persons were found on board the two luggers which were seized, but all the crew had left. No goods were found as they had been discharged the previous day when a large quantity of tea and spirits 'were carried off between two and three o'clock in the afternoon by upwards of 50 waggons and 2 or 3 hundred horses'.[54]

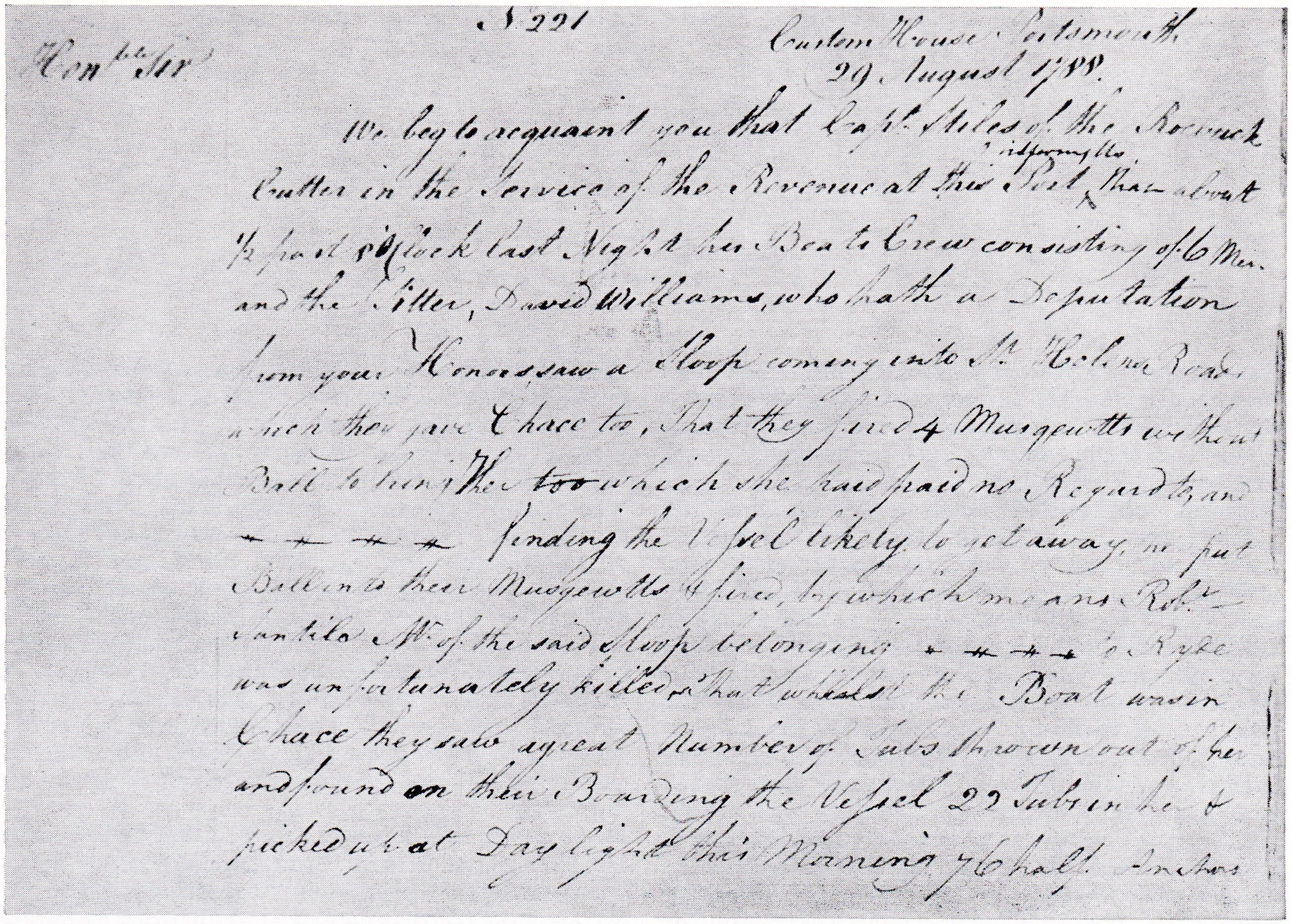
The following month Captain Ellis of the *Orestes* called at the Custom House to tell Mr. Arnold that after he had seized a large smuggling boat west of St Alban's Head, the *Orestes* was attacked by a large cutter mounting 22 guns. In the battle which followed one of the navy men was killed and two others wounded. In his report Arnold described this as 'another instance added to the many which occur almost daily of the outrageous and piratical proceedings of the smugglers on this coast'.[55]

At about the same time the Portsmouth cutter *Roebuck* was having an equally difficult time. Mr. Peat the mate reported that when cruising off St Helens he 'saw a large cutter standing for Chichester harbour on which he made sail' and in a short time he discovered a large boat apparently loaded just off and making for shore. He then 'despatched the *Roebuck*'s boat with 3 men well armed after her but on attempting to board they were opposed by 20 smugglers all armed with muskets and cutlasses who obliged the *Roebuck*'s boat to sheer off and the smuggling cutter being near 300 tons burthen, carrying 18 or 20 guns well manned, the *Roebuck* was under the necessity of remaining at a distance a tame spectator of this fraudulent transaction'.[56]

It is pleasant to read that one of the naval vessels assigned to revenue work had been so successful that the Portsmouth Collector felt it incumbent upon him to praise the commander to the Commissioners and told Their Honours 'that the very great exertions by Captain Thornbrough, Commander of His Majesty's Frigate the *Hebe*, whose activity and zeal for the revenue deserves the highest commendations, has proved of great advantage towards diminishing the practice of smugling. Yet altho the clandestine traders have suffered great losses by the large captures he has made, the spirit of smuggling does not seem to decrease and to the Eastward of this Port it is carried on by large cutters to a very great degree with impunity the Admiralty cruizers on that station not sailing fast enough to come up with them and when they do accidentally fall in with them are not of force sufficient to take them several of them carrying from 16 to 26 guns each.' The Collector suggested that the '*Hebe's*' commander should be allowed to extend his cruise as far eastward as Beachy Head.[57]

The boatmen on Hayling Island while on the look out saw a large loaded boat making for the shore on the night of 20th December 1786 but when they went to intercept it they were 'discovered' by a gang of smugglers who gave an alarm to the boat 'by making false fires as is the general practice of the smugglers on discovering revenue officers on the coast.' The boatmen were however able to obtain the assistance of a party of soldiers from Cumberland Fort and they managed to capture five of the gang and take them into custody.[58]

Again in 1788 the officers at Hayling Island were involved in a skirmish. It began when they saw a large tub boat under sail running into Langstone Harbour between 1 and 2 o'clock on the afternoon of January 3rd. The tub boat had a small four-oared boat in tow and four of the revenue men hastily got their boat ready and gave chase, coming up with the tub boat so quickly that they dropped the boat they were towing, in which there were two men. The revenue men saw that there were no goods in the boat so they continued to chase the tub boat and hailed them to heave to but they refused and threw several casks overboard. Eventually the tub boat ran on to the sand at Bedhampton and the Customs boat went alongside, the officers finding that there were more than 150 casks on board. They recognised James Hyde in the tub boat and called him by name and told him that the boat and goods would be seized. Thereupon Hyde pulled off his clothes and said that if that was the case they would fight for it and they armed themselves with sticks. In spite of the fact that the Customs officials' pistols had been rendered useless by the water their



Report from Portsmouth Custom House on the 'Roebuck' cutter's success.

boat had shipped they persevered and seized the boat and goods, marking the boat with the broad arrow which the smugglers immediately rubbed out. The smugglers then offered the revenue men thirty tubs not to mention the name of James Hyde and the offer being refused they jumped on the Customs boat and in the ensuing skirmish the Customs men were overpowered. They were detained until dark and were being taken by the smugglers to where the rest of the gang were assembled when three of them managed to escape and jump on board a sloop which was lying at anchor. Thomas Gloge, Chief Boatman, managed to fasten a rope to the rings of the rudder of the sloop and to their own boat without the smugglers noticing. They then managed to get into their own boat and rowed to their watchhouse. The following morning at daybreak Thomas Gloge went back to Bedhampton with three boatmen and seized and took possession of the tub boat. Two smugglers' boats chased them but were unable to catch them.[59]

About this time William Arnold of Cowes made a report in which he stressed that 'smugglers do not appear checked in their illicit trade by the operation of the Act (restricting the size of boats) for boats principally used by them upon this coast are reduced under 18 feet in length consequently not within the Act, are built very deep and flat floor'd and called Tub Boats.' Later he said that smuggling was chiefly carried on in vessels from 25 to 60 tons burthen aided by tub boats one of which every vessel carried and many of them two. He said that the tub boats would carry 2 to 3 hundred half ankers of spirits as well as tobacco and other goods. He went on to say that in summer in very calm weather the smuggling vessels towed them loaded from the French coast, Guernsey or Alderney until they got near the shore.[60]

Towards the end of 1790 the *Swan* cutter of Cowes was in the neighbourhood of Beachy Head and its boat, which was cruising under a Deputed Mariner, fell in with a big lugger which was landing cargo on the beach. They were attacked by the smugglers whose faces were 'blacked with gunpowder' and forced to go on board the lugger where they were kept a considerable time while they were landing cargo for which purpose they also made use of the *Swan*'s boat. From conversation they heard while on board the lugger the revenue men learned that the smugglers had come from Guernsey and were going back there as soon as the cargo was landed. They also heard that the evening before the lugger had fired at a revenue boat which belonged to the *Rose* cutter. The following morning the smugglers let the revenue men go, putting two

casks of spirits into their boats but taking away their stores and material. It appears that while the revenue men were on board the lugger they made private marks so that they could identify the ship again and Arnold told the Commissioners that they were willing to go to Guernsey to do so if Their Honours thought it proper.[61]

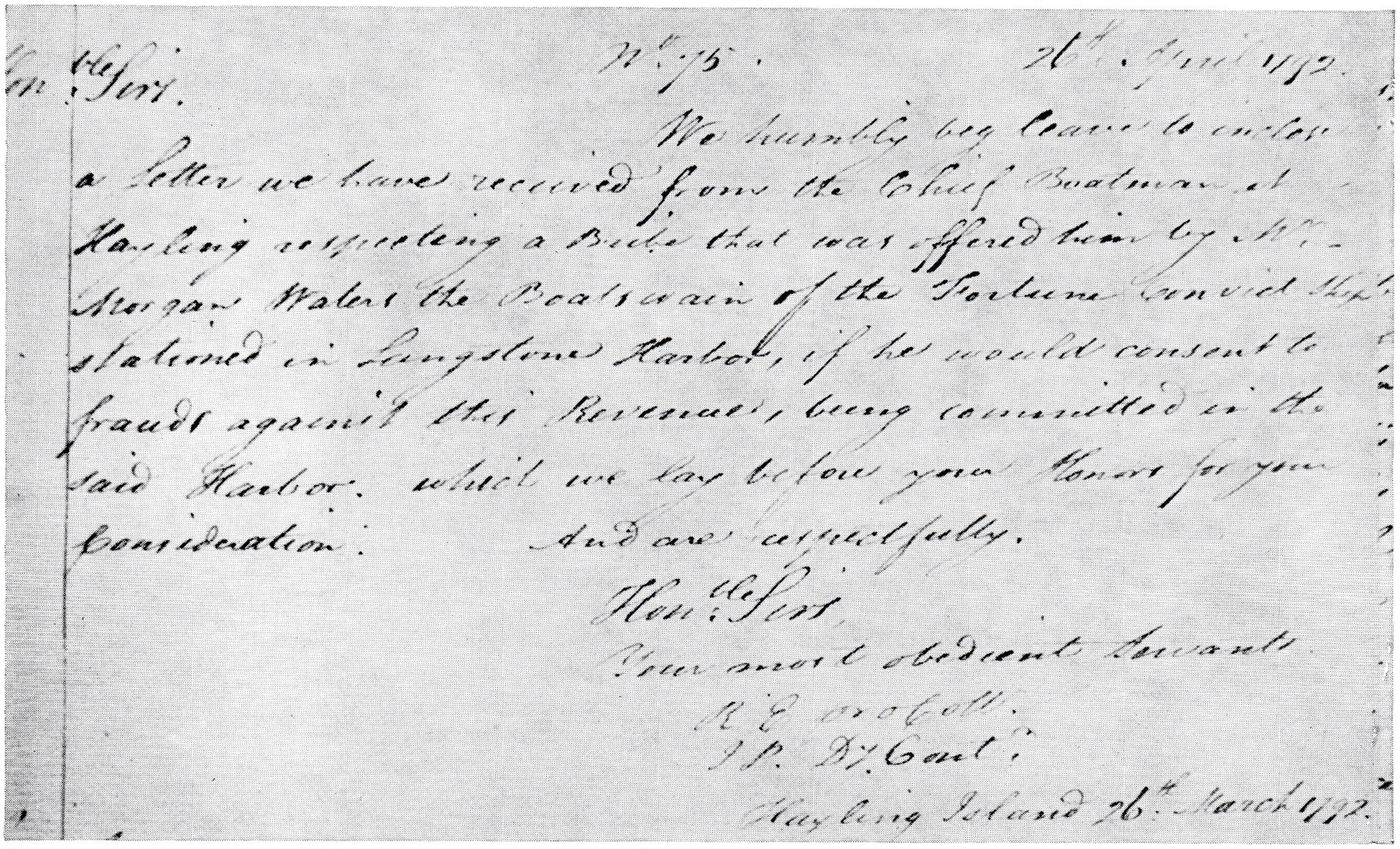
Another incident ended fatally but this time for one of the smugglers when Captain Stiles of the *Roebuck* cutter sent his boat's crew cruising under the Sitter, David Williams, one August evening in 1788. At about half past eight they saw a sloop going into St Helen's Road and gave chase. As the vessel did not bring to they hoisted their colours and 'fired four Musquetts without Ball to bring her too which she paid no Regard to'. As they thought the sloop was likely to get away the revenue men then loaded their muskets and fired again 'by which means Robt Santila Mr of the said sloop belonging to Ryde was unfortunately killed.' During the chase the officers saw 'a great number of tubs thrown out' of the sloop and on board they found a further 22 tubs. At daylight they searched again in the sea and found a further 76 half ankers. It was ascertained that the sloop had come from Alderney. The sloop and her cargo were then seized and the coroner was informed of the death of Santila.[62] At the inquest the jury brought in a verdict of manslaughter against Benjamin Brown, one of the crew of the *Roebuck's* boat and he was ordered by the Justice to be committed to gaol.[63]

In 1785 the Portsmouth Collector, now Thomas Barker, reported a similar instance in which the *Roebuck*'s boat was once again involved. The boat, whose crew consisted of David Williams, now a Deputed Officer, was on the look out on the night of the 14/15 June between Langstone and Chichester harbours when at about two o'clock they saw a small vessel standing in for the land. They gave chase and the vessel tacked and stood out for sea. As the wind was northerly and blew strong 'Williams was apprehensive that the vessel would escape', so he ordered one of his crew to fire a musket but this being disregarded two more shots were fired without effect. After a fourth shot the vessel slackened sail and Williams and his crew boarded her and found that Thomas Sevil, the Master, lay dead on the deck, a musket ball having entered his head. During the chase Williams and his crew had seen casks being thrown overboard and they proceeded to pick them up and found in all 30 casks of Geneva and 38 of Brandy and some tea. They took the contraband to the Custom House 'but in consequence of the death of the Master, and on so melancholy an occasion, did not think it right to seize the vessel which afterwards proceeded with the dead body to Ryde.' Mr. Barker consulted Mr. Binsteed the Crown Solicitor in the area and sent the same boat crew on a cruise 'to prevent their being immediately apprehended and committed to gaol, expecting that the verdict of Men living in the Isle of Wight (a place so notorious for smuggling) will be nothing less than Wilful Murder'. The Collector added that it did not appear that any colours were on board the boat although according to law they should be hoisted before a shot is fired but he pointed out that even if they had been hoisted at that time of night, and at the distance, they could not have been seen by the smugglers who 'make it a practice never to bring too, notwithstanding the firing of the vessels in chace until they have thrown overboard the whole of their cargoes'.[64]

In March 1792 Thomas Gloge, Chief Boatman at Hayling Island, reported that Mr. Morgan Waters, boatswain of the *Fortune* convict ship, asked him to go on board the convict ship lying in Langstone Harbour. Morgan took Mr. Gloge to his cabin, closed the door, and after some preliminary talk said that Gloge 'had a great family and his pay was small' and that Mr. James Hunt, landlord of the 'Pack Horse' at Stansted wished to come to an agreement with him to allow smuggled goods to go into the harbour. Gloge told him that it was 'against his conscience to suffer any such thing', whereupon Waters said 'Damn Conscience' and that it was better to be paid for being at home than to be out at night, and 'if I would agree with him to lay at home he would make a signal on board the ship in the daytime for me to stay at home and not look out and I should be paid Fifty pounds a year or name my sum and it should be made agreeable to me'. Gloge pointed out that there would be boatmen on look out but the boatswain was sure that they would be glad to stay at home. Gloge then mentioned the cutters' boats but Waters assured him that he would not be blamed for them and that if he were to go along to Mr. Hunt at the 'Pack Horse' everything would be fixed up and no one would know the secret but himself and Mr. Hunt. Gloge thereupon said: 'I would sooner have my right arm cut off.'

Gloge found out that Waters had been a Rider to Mr. James Hunt and that he lived at Southsea Castle where there were cavities in the cellars in the castle for almost a thousand casks and that they were full up.[65]

In peacetime naval vessels were often appointed to assist the revenue but in wartime the revenue vessels were sometimes called up to assist the navy and also to help to protect British merchantmen. In order to



Report of the attempted bribery of a revenue officer.

regularise their position it was customary to issue 'letters of marque' and they then also became entitled to attack enemy merchant ships and thereby take prizes and earn prize money. This was sometimes done to such an extent that the Commissioners had to warn the commanders that their primary duty was the protection of the revenue.

When war with France broke out once again in 1793 the collectors had to see that the cutters were fit for active duty and in July of that year William Arnold told the Commissioners that as directed by their order 'we have examined into the state and condition of the guns on board the *Swan* cutter in the service at this port and find eight of them to be short guns not exceeding 3 feet in length and carrying shot of 4 lbs wt, the other six carrying shot of the same wt but are 4 ft 3 in long . . . if the cutter was only to cruize against the smuglers we think and hope that these guns would answer all the purposes of that service. But being fitted out as a privateer and so employed under your orders it is possible she may have to contend as well with vessels belonging to the enemy as the smuglers, who are availing of the opportunity which the war affords them of taking out letters of Marque will probably attempt to carry on their illicit trade with an armed force on which account it may be proper for your Honours' consideration whether the guns should not be exchanged.'[66] The *Swan* had already captured two French privateers in the previous March, but she herself was captured by the French in 1795.

That the smugglers would take advantage of the absence of the revenue cutters and the general weakening of the revenue forces in time of war is well known and we now enter a period in which they were able to indulge their illicit trade more than ever. The French were quick to see a way of undermining the British economy and made a large part of Dunkirk available to English smugglers while obtaining useful information about the state of the port defences and the location of martello towers and other fortified places.

Although in 1795 William Arnold stated that he was decidedly of the opinion that smuggling within the area had very much decreased during the previous two years and put it down largely to the efforts of the revenue cruisers it seems quite possible that a considerable amount of smuggling now occurred unnoticed by the Customs.[67] Certainly the Customs records do not contain very many reports of smuggling attempts during the last decade of the eighteenth century by comparison with the earlier years, but it is probably also due to the fact that smugglers were gradually changing their methods. Arnold himself had previously reported on some of the newer methods such as 'sinking' which foreshadowed the so-called 'scientific smuggling' of the post-Napoleonic War period, and it is probable that smugglers were already being more circumspect and no longer relying on sheer force.

It is certain that the Commissioners of Customs were under no illusions about the extent of smuggling for in 1809 they set up an entirely new service to strengthen the existing Waterguard and closed as it

Capture of the Revenue Cutter 'Swan' by the French.

Photograph by courtesy of the National Maritime Museum.

were the gap between the revenue cruisers and the Riding Officers. This new force was called the Preventive Waterguard and its function was to patrol the coast both by sea and land, this again being an idea formerly suggested to the Commissioners by William Arnold of Cowes. Portsmouth was so vitally occupied during the war with the constant coming and going of naval vessels, not to mention the numerous prizes brought in, which also greatly occupied the revenue officers as not only had the prize cargoes to be dealt with but constant vigilance had to be exercised to prevent the smuggling of naval stores.

After Waterloo the British government made a determined effort to put down smuggling by using the surplus navy ships and personnel and a coastal blockade of the south-east coast was established. This not proving too satisfactory, a Commission of Inquiry in 1821 recommended that all the preventive forces should be placed under the control of the Customs and that the title of the force should be changed to 'Coastguard'. These measures, together with the gradual introduction of free trade, brought smuggling down to reasonable proportions and by the middle of the nineteenth century it could be said that the heyday of smuggling was over. From the revenue point of view Portsmouth was no longer considered to be a great risk. This is not to say that there was no smuggling but that its character had changed and there was a tendency for contraband to be concealed on ships among the cargo in vessels trading to commercial ports like Southampton and London. The naval vessels of course always represented a certain danger to the revenue on account of the large quantities of duty free stores that they carried but a good deal of control was now being carried out by deputed naval officers.

There were however incidents which showed that the smugglers were still managing to get away with large amounts of contraband. In the last year of the century two boatmen, John Browning and James Vick were looking round near the beach at Bedhampton when they came across a gang of about thirty smugglers armed with sticks carrying about three hundred casks. The two officers tried to seize as much of the goods as they could but the smugglers threatened 'beating their brains out if they attempted to touch the goods' which they were carrying away in carts and on horses. The revenue officers sent to Havant for military assistance and Captain Buttler, Commandant of the Havant Volunteers sent a sergeant and twenty men but by the time they arrived most of the goods had been taken away. There were only 67 casks left and the officers together with the soldiers searched the area going over Portsdown Hill where they found 67 more casks of spirits and 17 bales of tobacco which the officers formally seized. At the end of their report the two boatmen found it necessary to affirm that 'they considered the Assistance of the Soldiers necessary and that no Collusive Agreement was made with them'.

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